

### Amendments to the Claims

This listing of claims will replace all prior versions and listings of claims in the application.

#### **Listing of Claims:**

1. (currently amended) A method of forming a MEMS device, the method comprising:  
producing a device layer wafer, wherein producing comprises:  
    providing a material layer;  
    coupling a conductor to the material layer; and  
    forming at least one conductive path through at least a portion of the material layer to the conductor;  
providing a handle wafer; and  
after the conductive path is formed, coupling the produced device layer wafer to the handle wafer, the conductor being contained between the material layer and the handle wafer.
2. (original) The method as defined by claim 1 wherein the material layer has an exposed top surface, at least one conductive path extending to the exposed top surface.
3. (original) The method as defined by claim 1 further comprising removing a portion of the material layer to substantially expose the at least one conductive path.
4. (original) The method as defined by claim 1 wherein the material layer has an exposed top surface, the method further comprising oxidizing the exposed top surface to optically distinguish the material layer from the conductive path.
5. (original) The method as defined by claim 1 further comprising applying an insulator between the material layer and the conductor, the insulator coupling the conductor to the material layer.
6. (original) The method as defined by claim 1 wherein the conductor is formed from a first semiconductor material and the material layer is formed from a second semiconductor material.

7. (original) The method as defined by claim 1 wherein the at least one conductive paths is an anchor.

8. (original) The product formed by the method defined by claim 1.

9. (original) A method of forming a device layer wafer of a MEMS device, the method comprising:

    providing a material layer having a top surface;

    forming a conductive pathway through at least a portion of the material layer, the conductive pathway having at least one end substantially at the top surface; and

    oxidizing the top surface of the material layer to optically distinguish the end of the conductive pathway from the material layer.

10. (original) The method as defined by claim 9 further comprising removing a portion of the material layer to form the top surface.

11. (original) The method as defined by claim 9 wherein forming comprises:

    coupling a conductor to the material layer; and

    forming at least one conductive path through at least a portion of the material layer to the conductor, the at least one conductive path and conductor forming the conductive pathway.

12. (original) The method as defined by claim 9 wherein oxidizing causes the end to extend outwardly from the top surface of the material layer.

13. (original) The method as defined by claim 9 wherein oxidizing causes the end to have a first color and the top surface of the material layer to have a second color, the first and second colors being different.

14. (original) The method as defined by claim 9 wherein the material layer is formed from a first material and the conductive pathway is formed from a second material, the first material being different from the second material.

15. (original) The product formed by the method defined by claim 9.

16.-20. (withdrawn)